

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

ANDRE DAVIS,	:	CIV. NO. 21-7023 (RMB)
	:	
Petitioner	:	
	:	
v.	:	OPINION
	:	
	:	
WARDEN FCI-FAIRTON,	:	
	:	
Respondent	:	

Petitioner Andre Davis, a prisoner confined in the Federal Correctional Institution in Fairton, New Jersey (“FCI Fairton”), filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, seeking prior custody credit against his federal sentence. (Pet., Dkt. No. 2.) Respondent has filed a request to dismiss the habeas petition as moot (Docket No. 13) because the Federal Bureau of Prisons released Petitioner from custody on August 22, 2022. (Declaration of Eva Baker-Dykstra ¶ 4 and Attachs. A-B; Docket No. 13-1). When a prisoner has served his complete term of imprisonment and challenged only the execution of his sentence, he can no longer show a concrete and continuing injury, and his habeas petition is moot. *Scott v. Holt*, 297 F. App’x 154, 156 (3d Cir. 2008). Therefore, the petition will be dismissed as moot.

An accompanying Order follows.

DATE: **November 16, 2022**

s/Renée Marie Bumb
RENÉE MARIE BUMB
United States District Judge